

body because that has not been done in the past. And every Saturday he loses because of not having a quorum.

THE CHAIRMAN: Without objection we will hear the Rules and Calendar Committee next. Now that's consistent with the rule I already made since that is one of the operating committees.

You be prepared to make your report right after this.

THE CHAIRMAN: Delegate Corn.

DELEGATE CORN: I would very respectfully request that you get a quorum in here, Mr. President.

THE CHAIRMAN: Well, let's go on with the report since we don't have to vote or anything like that.

DELEGATE CORN: The Committee on Style and Drafting--

THE CHAIRMAN: Delegate Cooper, I think you are really being obstructive. I think two of us have tried to respond to your concern, right; there is no reckoning for what has past.

DELEGATE COOPER: This is a report for second reading. We have had a first reading on the rules in which they were adopted. They were sent to Style and Drafting --

THE CHAIRMAN: Now, the Secretary says that this is a second reading, Delegate Corn, of a proposal?

DELEGATE CORN: No.

DELEGATE COOPER: No, it's a second reading, period.

THE CHAIRMAN: Please continue and, Delegate Cooper, will you sign out? Will you please stop obstructing?

Delegate Corn.

DELEGATE CORN: The Committee on Style and Drafting has been meeting for the last -- since we first organized and we have done the rules so that they are now in a concise -- concisely written; they're presented in an orderly fashion. There have been no substantive changes whatsoever.

We distributed these to all of the delegates last Tuesday. We informed all of the delegates on the cover sheet that we would be having a meeting yesterday from 4:00 to 6:00 so that if any of the delegates had any questions whatsoever, they didn't understand maybe what we had done with a section, where it had gone to or how we came to word it as we did, or whatever, they could come to us and ask us and we would be glad to explain it. No one came. I can only take that to be a very good sign that everybody fully understood just what happened.

There are 13 members of this committee. At least ten of us have very actively participated in this process. The Committee of the Whole met each time and only before



the very next to the last step did the subcommittee of me and Jeannette Feely work together for the final polishing, and then we brought it back to the committee for another final polishing. And we want to thank certainly quite a few people, not the least of which is Phil Schrag and his office manager, who put them on the word processor, Mrs. Mason who ran them off for us the first shot, Jeannette Feely who is going to give you a wonderful slide presentation now to explain to you exactly how we did it. —

And I must say this: that we may be the most contentious committee; we are the best committee. We've got the brains, the know-how, the drive and I am really proud to have had the opportunity to work with such a fantastic bunch of people.

And with that I turn it over to Delegate Feely for our first slide presentation.

(Simultaneous discussion.)

DELEGATE CORN: I move the adoption of these rules as the official convention rules.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: It has been moved and seconded that the -- wait a minute. We haven't even seen them yet.

DELEGATE CORN: Yes, you have. They have been in

your boxes since Tuesday.

DELEGATE COOPER: They weren't put in the President's box, the Secretary's box.

THE CHAIRMAN: Okay. Has everybody seen these rules?

DELEGATE CORN: They all were put in the delegates' boxes.

THE CHAIRMAN: All right. Have the delegates seen and had an opportunity to read the revised rules?

Delegate Oulahan, Delegate Jones.

DELEGATE JONES: Mr. Chair --

THE CHAIRMAN: Delegate Oulahan, unless you have a point of order.

DELEGATE JONES: Point of order.

THE CHAIRMAN: Point of order.

DELEGATE JONES: Just for information. The rules were put in each delegate's box.

THE CHAIRMAN: Okay. Delegate Corn, what date was that put in the boxes?

DELEGATE CORN: Last Tuesday.

DELEGATE JONES: We put them in there, Mr. Chairman, that's how I know that they are in there.

THE CHAIRMAN: Delegate Oulahan.

(Bringing the convention to order.) Please I would like to get through this. You know, we've still got much to do.

DELEGATE OULAHAN: Mr. Chairman, I would like to know what draft it is that we are now supposed to now look at and I don't have a copy of what purports to be the final draft that I hear is going to be debated.

THE CHAIRMAN: The question was which draft we are looking at and Delegate Oulahan says that he doesn't have a copy of it.

Delegate Corn and Delegate Jones have indicated that a copy of this was placed in each delegate's box on Tuesday. I don't think we can question the integrity of people.

DELEGATE CORN: I gave it to Mrs. Ellington.

THE CHAIRMAN: All right. The motion is on the floor. Now Delegate Corn.

DELEGATE CORN: Delegate Feely who is on the subcommittee with me and, who is an English teacher and an extremely fine teacher too and really is a good editor, has made up a slide presentation to present to all of you so that you can fully understand how we did our job so that you will be left with no questions and no qualms.

(Simultaneous discussion.)

DELEGATE FEELY: (Showing slides.)

What is flashed on the blackboard is the old rule, okay. If you have your old rule, if you look at that, when you compared that with the new version that has been given to you, what you will see is that all of Chapter 3 deals with the procedure for drafting the constitution.

We have not done anything other than move information around. So when we talk about proposals, you can see that in the new 3.1, we talk about the introduction of proposals. That information has come from 3.1, 3.2. In the new 3.2 we have the minority proposals and how you go about presenting.

In Rule 3.3 we have the procedure for the convention adopting the proposed articles of the constitution. If you want to know what has happened to the old 3.4, you look at 3.3(g) and 3.3(g) tells you that information, final reading and adoption of the constitution. We did put in some sub-heads which we did not have before; wherein the information previously was spread out about where you would have to look in the rules to find the procedures for drafting the constitution, now all you do is look in the new 3.1 of Chapter 3 and first you see introduction; then you see minority proposals; after that, you have convention adoption of proposed articles of the constitution. We move to first

reading, which is the new page 12, and it gives all the information of the proposed article and what should happen. Amendments also appear there, number 4 under (b). Then you see -- there is a subheading in the new rules that deals with referral to the Committee on Style and Drafting. What we did was put in the subheading and then we put the information about what the Style and Drafting Committee does.

Page 13 of the new document gives the second reading. Then we have (e), referral to the committee on Style and Drafting, because it comes back to us again. Then you go to the third reading, which is (f), page 13 of the new document. And finally, on page 14 you see (g), final reading and adoption of the constitution.

All we were trying to show you today -- and there are more transparencies back there, but this system isn't working because I'm up here and the transparencies are back there and I need to be back there, but I can't get back there. So if you will simply take your sheet that was passed out entitled "Comparison of First Edition of Convention Rules with Revised Ones", you will see where the old information from the old rules of the 27th fit into the revised version.

We would hope then that if you have any questions,

you would first consult the comparison sheet and, if your questions are not answered, we then ask you to consult members of the committee.

I think that's as much as I need to say, Mr. President.

DELEGATE CORN: Jeannette, thank you very much. We also want to thank Harry Thomas for having given us nine copies of the government style and drafting book. We want to thank Paul Valentine for giving us the Washington Post style and drafting manual and everybody was just terrific.

There has been a motion that we adopt this version dated April 16th, 1982 as the official convention rules. It has been seconded. Is there any discussion now? We would be glad to answer your questions.

DELEGATE KAMENY: I move the previous question.

DELEGATE CORN: Do we have a quorum? Do we have a quorum yet?

Okay. The question has been called. All in favor of moving the previous question, signify by saying aye.

(A chorus of "ayes".)

DELEGATE CORN: Opposed.

(No response.)

DELEGATE CORN: Abstain.

(No response.)

DELEGATE CORN: The "ayes" carry it. All in favor of adopting the April 16, 1982 version as the official convention rules, signify by saying aye.

(A chorus of "ayes".)

DELEGATE CORN: Opposed.

(No response.)

DELEGATE CORN: Abstain.

(No response.)

DELEGATE CORN: The "ayes" carry unanimously. This is it. Thank you very much.

(Applause.)

DELEGATE CORN: That was just such a joyous victory after weeks of work.

Okay. The other thing is --

THE CHAIRMAN: Delegate Corn, may I have the mike back?

DELEGATE CORN: (Handing microphone to the Chairman.)

THE CHAIRMAN: Thank you.

DELEGATE CORN: Okay. The other things that have gone on in this committee is, number one, we have sent a letter to the Executive Committee and the Committee on Rules and Calendar basically outlining what our needs are to get the



job done. Now that we have adopted these as the official rules, if we look in Section -- Chapter 3, page 11, starting with 3.3, you will be able to very clearly see the steps that are required to adopt the constitution article by article for the first reading, the stages through the second reading, the third reading and final adoption of the constitution. Those are the rules. These are clearly laid out now. So now you know exactly what it's going to take. And looking at that and having studied while we rewrote it carefully, we were able to prepare this letter to the Executive Committee outlining the equipment we need, such as a word processor and IBM, a reliable, dependable and fast copying machine, the support staff we needed, the kind of books we needed, and what we needed in terms of editorial assistance that we're going to try to get from volunteers, because we do in our committee have, as I said before -- we have an unusual and outstanding committee.

We have on our committee three very, very competent attorneys. We have an excellent editor, Jeannette. We have a lot of good writers. We have a lot of people with good common sense. We've got all the skills we need on our committee. So we really don't need a paid editor that's going to cost the convention when we have got those things

already.

The other thing we have discussed as a group how we are going to handle this constitution. And what we decided is that we are going to -- it was a unanimous decision, except for me; I was the only one opposed to it -- that we are going to break up into three or four subcommittees. Each subcommittee will be composed of -- the four chairs of the subcommittees will be myself, our Vice President Chestie Graham, Jeannette Feely, Phil Schrag and we will either, by combination of either -- whoever volunteers to be on one of those subcommittees or by balancing the capabilities of the membership -- between a combination of those two make up these three or four subcommittees.

After each subcommittee finishes its work on one of the constitutional convention committee's work, then there shall be a steering committee meeting of the four chairs -- Jeannette, myself, Chestie and Phil -- to go over the work of that subcommittee and then it will be brought back to the Committee on the Whole and our full committee to go over it again to make sure that it is polished to a fine comb. We want this to be a perfect document grammatically, stylistically and organizationally.

And I guess that's it. We are prepared to go. We

are ready. We've got the brains; we've got the ability; we've got the know-how and I know we can do it. And that's about it.

Is there anything else?

(No response.)

THE CHAIRMAN: Thank you, Delegate Corn. On behalf of the Executive Committee, we want to say that we are indeed impressed as the delegates in the quality of the work and the fact that we have set rules now that have been codified especially regarding what will happen next week. Very clearly what happens in the first reading, in the second reading, in the third reading has a role in which the Style and Drafting Committee plays. It's an excellent job and we thank you very much.

Delegate Corn, there were some acclamations coming from the table here. You have to pay attention now, all right. We think you have done a very fine job.

DELEGATE CORN: Thank you, Mr. President.

THE CHAIRMAN: The Rules and Calendar Committee. We found out that Delegate Robinson was giving his report last Saturday, but we lost a quorum and we never got that back. So we couldn't have an opportunity to adopt the report of the Rules and Calendar even though we had passed an

amendment. And we didn't adopt the report.

(Bringing convention to order.) Please, everybody now, all right.

DELEGATE ROBINSON: Last Saturday, the report of the Rules and Calendar Committee ended for lack of a quorum. At that point, Delegate Blount moved that the time schedule as presented to the -- as circulated to the body by the Executive Committee be substituted for the time schedule suggested by Rules and Calendar.

I wish people would just sort of listen for five minutes and I will be out of your way.

The time schedules proposed by Rules and Calendar, as I said previously, was replaced by the time schedule as proposed by the Executive Committee. And that time schedule was beginning April 26th plenary sessions would be held Monday, Wednesdays and Friday 1:00 to 6:00, Tuesdays and Thursdays 6:00 to 11:00 and that was defeated and replaced by a strict afternoon or p.m. plenary beginning Monday 6:00 to 11:00 through Friday 6:00 to 11:00, Saturdays 12:00 to 5:00.

The remaining portions of this report in terms of the timetable, as I understand it, has been generally accepted by the body; that is, effective Monday, the first

readings will begin. However, it would be to the advantage of everyone if at this time the exact order of first readings is spelled out to the entire body, because on the report that I and the Rules and Calendar Committee submitted the order of presentation has been changed radically. We had Suffrage as being first, Legislature second, Executive third and so on. So I guess the first thing, Mr. President, is to ascertain then that the time schedules that we will be using effective Monday is synchronized with what's written on this report.

THE CHAIRMAN: Okay. At the Executive Committee meeting with the committee chairpersons last week, on Wednesday rather, we asked for a response to the schedule that was accepted up to this point by the convention and that's the one that you have before you, which has the first reading the last week April and the first week in May and has this order of precedence: On Monday the Executive Branch Committee meets; the Legislative Branch on Tuesday; Judicial Branch on Wednesday; Finance and Taxation on Thursday; Preamble and Rights on Friday.

The second group for the second week: Education, Economic Development, Health Housing, Social Services, Local Government and Suffrage. There was an agreement between

the Suffrage Committee and the Preamble and Rights to switch their time so that the order now is that on the 30th of April -- that's this coming Friday -- the Suffrage Committee will read instead of the Preamble and Rights, and on May the 7th the Preamble and Rights Committee will read instead of the Suffrage Committee.

Now that is the current schedule. Our problem is that the rules require that prior to the reading that the draft proposal must be circulated 72 hours prior to that day. Now the first one, the Executive Branch Committee, was submitted, I am told, last Thursday. Was it, Delegate Simmons?

DELEGATE SIMMONS: Yes. I understand that it was not in some boxes and it was in others. I was out of the city, as you well know; Secretary Maguire thought that they had been. She brought them over, but clearly if people didn't get them, we are going to give that to them today.

THE CHAIRMAN: Well, let's see where we are. We've got a schedule here for the readings which is satisfactory to all committees, provided that on the day of that reading they have had the necessary typing services and they have had an opportunity to confirm the drafts that they need to respond to as far as analysis is concerned.

All of those committees are not going to be able



to make that 72-hour pre-distribution. It looks as though some of them will only have 24 hours, I believe; that will probably occur with the drafts in the Legislative Committee. Inasmuch as we just cannot expand the time beyond May the 29th, we also cannot make any more days in the week, those five weeks that we have beginning on Monday, I would propose that we by common consent lift the rule for a 72-hour pre-distribution and reduce that to the minimum that we think is necessary for the various delegates to receive and read those various proposals. Now that is to enable the first three committees to read -- the Executive Committee has distributed its. Because of the difficulty of getting typing services, which we think we have dealt with now, and distributional services, the Legislative Committee is not yet ready -- or let's say has not yet submitted on the three-day notice and will not be able to submit it in the three-day notice in time to do their reading on Tuesday.

Therefore, we will relax our rules to make certain that we get from the Legislative Committee -- we can get their analysis to you on Monday and they will be allowed to read on Tuesday.

DELEGATE FEELY: Point of information, Mr. President.

THE CHAIRMAN: Yes.



DELEGATE FEELY: What effect will that have on minority proposals and so on?

THE CHAIRMAN: Well, our rules say that within 24 hours after the submission of the committee report -- I suppose we could reduce that also; instead of 24 hours, it would be 12 hours.

Mr. Robinson.

DELEGATE ROBINSON: In regards to what you are saying, it does not follow what we have previously said. What we have said was that we were going to follow the timetable as written in this report. And if the timetable is followed, then the Legislative Branch Committee should have circulated its proposal no later than 5:00 p.m. April 23rd.

Now, I mean, it appears that everything that is done in the name of expediency at the expense of the duly written rules of this body -- and I resent it.

THE CHAIRMAN: I'm responding to what has just been said. Okay. Delegate Robinson, you are absolutely correct. However, we could set up a sentencing system and perhaps we could send people to jail if they haven't responded to the rules, but the fact of the matter is that the 23rd has passed. For reasons not entirely blamable on the Legislative

Committee, they have not been able to submit. But Tuesday will be here shortly, right, and there aren't any other special days that we could assign to them. So what we need to do is to make it possible for them to read. If there was some other way to back up time perhaps or to expand time, we could hold it off but, you know, the 29th is the 29th.

If there is any other way, but I certainly want to deprive from their right to do their reading because they didn't get it in on the 23rd and the 23rd was not met by them for several reasons, one of which is that they didn't get the typing services that they needed when they needed it.

Delegate Kameny and Delegate Corn.

DELEGATE KAMENY: Mr. President, there is in effect a way of backing up time, if you use your phrase, of doing less violence I think to the rules and that is at least one proposal which is a separate item in and of itself came in in time to be discussed, to come up for first reading on Monday, and that is the preamble from the Committee on Preamble and Rights. It's a separate package; it can properly be considered as a separate item at that time and I think takes care of the problems that we are facing at the moment and does much less violence to rules and procedure.

And I suggest that that in fact is the way we calendar it.

And I move that the Preamble come up for first reading on Monday.

(Whereupon, the motion was seconded.)

DELEGATE HARRIS: If we begin to give any committee the time to give part of their report -- or do we have the time to give the committee two or three reading days? I don't think we can. We're trying to relax the rules or to come up with some method in order to allow the Legislature ready to read. We cannot give Preamble and Rights two separate reading times, one for preamble and one for rights. It must be presented as a package and it should be read as a package.

THE CHAIRMAN: Delegate Oulahan.

DELEGATE OULAHAN: Mr. Chairman, I recognize the time problems. I hope that you will also provide for something to take care of proposed amendments. Our problems are that in 24 hours before the debate starts, we get a complicated section of the constitution to sit down and go through it and see -- maybe you've got some objections or additions. Ordinarily, what I had intended to do was to mark amendments and give them to the Secretary 24 hours ahead of time so that it

would be organized.

So to give amendments to the Secretary the day before and get them numbered in order so that when it comes before the meeting, there isn't any time wasted. I would assume that if the hurry-up schedule goes into effect, there would be no objections by the officers on the floor if we brought in our amendments on the evening that the debate took place. Otherwise, it's going to be impossible to do the job.

Secondly, Mr. Chairman, Mr. President, I don't see why everybody after Wednesday -- that is, the Executive, Legislative and Judiciary -- cannot get their proposals in in accordance with the rule. What you are doing is you're giving a week's free time to everybody at the tail-end of next week and the beginning of the next week, and I think people have got to bring their proposals before us orderly.

So I would move, Mr. President, that your proposal, with which I agree, be limited solely to the Executive Branch, Legislative Branch; the Judiciary report is already to go anyway; it's coming in this afternoon, so it be limited to those two.

THE CHAIRMAN: I don't think there would be any problem with that because those are the only ones that have

the problem, right?

DELEGATE OULAHAN: Thank you, sir. But I just wanted to say on the preamble and the bill of rights, to be handed a copy of the bill of rights on May the 6th because it's a much too complicated subject to deal with.

THE CHAIRMAN: Well, they have a time and their time is on May the 7th.

DELEGATE OULAHAN: Mr. Chairman, my motion was seconded by Delegate Simmons.

THE CHAIRMAN: Okay. It has been moved and seconded that the first three committees, Executive, Legislative and Judicial, be allowed to make their submissions in less time -- with less than in 72 hours. Any discussion?

Well, let's let the chairperson speak and then Corn.

DELEGATE ROBINSON: Yes. Mr. President, it would seem to me that in order to do that, you would have to suspend the rules.

VOICE: We didn't hear you.

DELEGATE ROBINSON: I'm saying that in order for him to allow an infringement of the rules in terms of time, the rules must be suspended in order to accommodate that.

THE CHAIRMAN: Delegate Corn.

DELEGATE CORN: With all due respect and while I understand full well the President's position and Delegate Oulahan's position, there is a way to deal with this according to the rules, still meet our timetable and have no problems. And if you do this, if you do follow this procedure, I would suggest that you not only will have to suspend the rules in that one place about the 72 hours, there are two other places in the rules you will have to suspend.

May I point out all these things very briefly. If you should suspend the rules on the 72-hour notice, you would also have to suspend the rules on a minority report and you would also have to suspend some of the rules on the second reading, because under the second reading, on page 13, it says "On second reading an amendment shall be in order only if (a) the amendment had been introduced in substance by a delegate for consideration by the substantive committee before that committee reported the articles of first reading."

So if you are really unhappy about something, you had better get it in before that first reading and, if you don't have the 72 hours' notice, it's going to be very hard to get it in by this first reading.

On the other hand, the rules do not say anywhere that each committee must report its entire report in one shot.



It says each article, each proposed article must be reported in one whole -- a whole article. Therefore, since the Preamble has its thing ready -- now let me just give you another thing to add into this equation.

If you look at this Section 3.3 in the rules very carefully, you will see that 90 percent of the work of Style and Drafting is done between the first and second reading, very little between the second and third, almost nothing between the third and the final adoption. More importantly -- much more importantly, when the article is up for first reading, it may be amended by a majority vote of those delegates voting present, but on second reading the only way it may be amended is by two-thirds' vote of all delegates; on third reading only by three-quarters' vote of all delegates.

Therefore, the first reading should take much longer than the second or third readings. The first reading should be the time accorded when all delegates have the opportunity to speak, speak freely and not be stifled or muzzled. This is the only time you have your chance. If you don't get it in now, it's very unlikely you're going to get in your amendment on second or third reading.

And, therefore, for a debate to be said -- for it



to be said that each committee should only have five hours, at the most seven, for their committee's entire report and that is to me entirely unfeasible. I would suggest that it's much more logical to have ten to twelve hours for each committee's entire report on first reading, three hours on second and then the third reading -- since the second and third reading are done by the Committee on Style and Drafting, I know that the second reading will take us a total of five nights maximum.

THE CHAIRMAN: Delegate Corn, I think you have made your point. I just want to point out that there are some other things that need to be taken care of. And you have made a counter-proposal. That counter-proposal really is not speaking to this proposal.

DELEGATE CORN: The counter-proposal, sir, is that whatever is ready -- what is it the Preamble is ready?

THE CHAIRMAN: That requires -- a counter-proposal requires another motion. And we are talking about this one. Is there any further discussion on the motion.

DELEGATE KAMENY: I made my motion, Mr. President, before that the preamble was an article in itself and should be brought up on the first reading on Monday.

THE CHAIRMAN: Delegate Moore.

DELEGATE BRIAN MOORE: I wish to support the motion on the floor regarding the waiving of the rules so that we can expedite matters. However, I would like to propose an amendment to that motion that we also waive the requirement that we need a two-thirds vote on the second reading, because of the fact that we will only have a very short period of time to consider each amendment as it is presented to us. One day, I think, is insufficient, but if we can allow the body and the fellow delegates to have the opportunity to change those amendments or to change those articles with the 50 percent vote upon second reading, I so move.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: What was the motion that we just got a second to?

DELEGATE COOPER: To waive the two-third requirement.

DELEGATE BRIAN MOORE: Second reading changes have to be by two-thirds vote. I want it to be by majority vote.

(Simultaneous discussion.)

DELEGATE HARRIS: Point of order, Mr. Chairman.

THE CHAIRMAN: Point of order has been called for.

DELEGATE HARRIS: Yes. Delegate Moore was speaking to waiving of rules by the President, which did not get a second.

DELEGATE CORN: It did get a second. I seconded it.

DELEGATE HARRIS: Will you please wait? And then to that he amended the waiving of rules. But his motion did not get a second. So it wasn't on the floor.

THE CHAIRMAN: I have to make a correction. The Chair did not make a motion. The Chair was simply making a suggestion. Right? Okay.

DELEGATE JORDAN: Point of order, Mr. President.

THE CHAIRMAN: Point of order.

DELEGATE JORDAN: Mr. President, the chairman of the Rules has said that you have prior notice of any changes in the rules. Now the delegate is offering an amendment to the rules.

(Simultaneous discussion.)

DELEGATE JORDAN: The motion is out of order; it can't be accepted. And the reason it can't be accepted because it is inconsistent with Chapter 6. Chapter 6 says that you have to have at least two days' notice and at least four calendar days a copy has to be available to the chair.

THE CHAIRMAN: Delegate Moore asked for an amendment to a motion which really is in effect a suspension of the rules. Okay, so that is out of order.

But the original motion that was on the floor was Delegate Kameny's motion. Delegate Kameny's motion was to have the Preamble and Rights to read first.

DELEGATE KAMENY: Preamble, just the preamble.

THE CHAIRMAN: The Preamble and Rights Committee shall read first a portion, all right?

DELEGATE KAMENY: The first part.

THE CHAIRMAN: There was a point of order mentioned by Delegate Blount --

DELEGATE BLOUNT: Right, that his motion was out of order.

THE CHAIRMAN: Let me respond to that. Inasmuch as the rules indicate that an article or any sub-section thereof may be read, his motion is not out of order.

DELEGATE KAMENY: Thank you.

THE CHAIRMAN: It may be desirable to read it all at once, but --

DELEGATE BLOUNT: I was speaking in terms of the schedule that you had already presented, that we had already adopted.

THE CHAIRMAN: Okay, that's all right. You know, the implication of our schedule was to read each committee at least for one day, in completion in one day, but that

wasn't prohibited. I personally would prefer to see each committee reading and start reading one and finish and then, since there are ten committees and ten days, right, there is no getting around that.

Okay, Delegate Bruning, on Delegate Kameny's motion. Let's not get another motion on the floor until we fully dispose of that one.

DELEGATE BRIAN MOORE: Point of clarification.

THE CHAIRMAN: Point of clarification.

DELEGATE BRIAN MOORE: Delegate Kameny's motion was on the floor but then did not Delegate Oulahan make a substitute motion amending that motion?

THE CHAIRMAN: I think Delegate Oulahan did not realize that there was a motion on the floor and he made another motion, which of course was out of order. And I should have moved it out of order. But Delegate Kameny's motion has not been disposed.

DELEGATE BRIAN MOORE: All right. Can you consider my motion applicable to Kameny's?

THE CHAIRMAN: No, I cannot, simply because everything that happened to Kameny's motion is out of order anyway.

DELEGATE BRIAN MOORE: Oh, I see.

THE CHAIRMAN: So we go back to his motion and

Delegate Bruning wants to speak on that motion.

DELEGATE BRUNING: I would like to speak to Delegate Kameny's motion which is essentially to have Monday night the Preamble to the Bill of Rights and not to the entire section. I agree entirely with Delegate Blount that that is not the preferable way to proceed. I understand that there are many things in this convention that have not been the preferable way or the best way that we wanted things to happen and that is unfortunate but a true fact. And under these time constraints and money constraints, we are faced with that.

As much as I dislike the idea of spending a night on one beginning section, one section, not an entire article, nevertheless I feel that that does less damage in the end to the entire process. I am less uncomfortable -- not happy, but less uncomfortable with the fact that we may spend a night on part of a committee's report. I'm less uncomfortable with that, realizing that the first time around we're going to be trying to find out all the things that happen in our first night of debate in which we are going to be tripping over our feet in terms of procedure -- although it's only a small part, it's going to take us unfortunately probably longer than it should.



I feel less uncomfortable about spending I think too much time on one section than running the risk, which is what we face, of essentially changing the rules in various substantive matters and I feel less comfortable, far less comfortable on essentially two major sections of this constitution. Two of the five major sections of this constitution without having anything near, one, adequate time to read them. I don't know about anybody else but I haven't received copies of either of those documents.

I would hate on the basis of 24 hours of which 12 of them is probably going to be spent at work and getting to work, in 12 hours to essentially read a document that's going to be our state constitution and make a decision on that and also, at the same time, write up sensible amendments to it.

I think for all its drawbacks, Kameny's proposal gives us the pause that we need to do a decent job on at least two major sections of the constitution, also doesn't do violence or as much violence to the rules and, third, allows for reasonable counter-proposals to be drafted and to be circulated.

I'm afraid that if we don't do it that way, we're going to have essentially at least two sections that none of



us feel real happy about how much consideration we have given to two sections that are amended in a slap-happy way. We do have the preamble in front of us. It's not maybe the best of all ways to go but I think it's probably the best way to go. Thank you.

THE CHAIRMAN: Delegate Freeman.

DELEGATE COOPER: I'm next.

THE CHAIRMAN: Delegate Freeman, would you allow Delegate Cooper to speak next?

DELEGATE FREEMAN: Yes.

DELEGATE COOPER: Yes. I rise to speak in favor of the amendment of the motion set forth by Delegate Kameny. I said I rise to speak in favor of the motion set forth by Delegate Kameny. I would like to inform you that I myself made that very suggestion to the President upon receipt of that proposal from the Preamble Committee mainly because they were ready and other committees weren't.

And I don't think we should handstring this committee just because some other committees have failed to meet their deadline and failed to do their job. I think that's being unfair to the Committee of Preamble and Rights and I think we should proceed in an orderly manner and take care of the business that is ready and available to us.

I don't think that a suspension of the rules in order to make special exceptions is really the correct way to proceed. I don't think it's necessary and I don't think it's going to buy this convention anything. So I would urge my fellow delegates to vote up the Kameny motion so that the business of this convention, that is the reading of proposals, can be taken care of.

THE CHAIRMAN: Freeman, Moore and Harris.

DELEGATE FREEMAN: Well, I also support the Kameny motion, but there is still a problem which is -- possibly two problems. One is we may finish the preamble Monday night and have a couple of extra hours which we don't want to waste. So we're still going to have to deal with the next committee's report. And even if it takes us all Monday night to do the preamble, we still have a problem suspending the rules so that we can do the report for Tuesday. So I would just like to point that out, that we still really ultimately will have to do it but I do support the Preamble Monday night.

THE CHAIRMAN: Before we go further, may I say that the motion can be carried without doing damage to any other part of the process. There is the Judiciary Committee and it's probably going to be ready on Tuesday. If we hear Preamble and Rights on Monday --

(Simultaneous discussion.)

THE CHAIRMAN: Yes, Delegate Blount, if you are ready, you can shift yours to Tuesday. Then Legislative could go on Wednesday because they're not going to be ready before you are, right? Then we can have Preamble and Rights on Monday, yours on Tuesday. Your stuff is out, right? Your stuff is out today and anybody can get your stuff today. It's in your box before you leave. That will give Legislation the additional time that they need to be ready for Wednesday.

DELEGATE BLOUNT: Okay. I will need to confer with -- will the members of the Judiciary Committee respond to what the Chairman has just said?

THE CHAIRMAN: I have to acknowledge that our procedures at this point are irregular because this is really not germane to the motion on the floor, but it will help some of us to decide that this will be the only change you have to make.

DELEGATE BLOUNT: If there are no objections, we will take it.

THE CHAIRMAN: Okay.

All those in favor of carrying --

DELEGATE ROTHSCHILD: You can't make this up. You've got to recognize somebody --

DELEGATE HARRIS: But there are three before you.

THE CHAIRMAN: Are there other people who must speak before we vote on this issue? Okay, four.

Brian Moore.

DELEGATE BRIAN MOORE: Point of information than anything else. I'm concerned about the time sequence for minority reports.

THE CHAIRMAN: (Bringing the convention to order.) There are about three conversations going on and this needs to be heard; we need to vote on it.

DELEGATE BRIAN MOORE: I'm part of the Judiciary Committee and the report came out today.

(Simultaneous discussion.)

DELEGATE BRIAN MOORE: The point is that I have some ideas to submit as a minority reporter and the way I read the rules is that you have 24 hours after the adoption of the committee report. And the only thing that we adopted was the article but the report put together by the committee was not seen by the committee members. So I still want to be able to get my minority report attached to that and submit it to the body prior to Tuesday night.

THE CHAIRMAN: It has been adopted, right?

DELEGATE BRIAN MOORE: Only the article has been

adopted but not the report. According to the rules, you need to adopt the committee report which is --

THE CHAIRMAN: Delegate Blount, do you have your entire report or just the articles?

DELEGATE BLOUNT: Mr. Chairman, in view of what has passed by, I would like to reassess the situation. Now if we will stay as we were scheduled, we would eliminate a lot of confusion. Already, you know, we're hearing some unpleasant discussions.

THE CHAIRMAN: Let's let that one go. Is there any other committee that would be willing to report on Tuesday who has already circulated their --

DELEGATE NIHIKIAN: As a member of the Judiciary Committee, I don't have a copy.

THE CHAIRMAN: Hold on just a minute.

DELEGATE NIHIKIAN: I was never informed about the sequence for minority reports.

THE CHAIRMAN: Please, I'm trying to listen to the Vice President and I can't hear her.

(Discussion with Vice President.)

THE CHAIRMAN: Okay, a suggestion has been made to resolve the problem. Maybe if a copy was distributed, it would be in your box. Would it be acceptable to you if

somebody went down and got a copy and brought it to you?

(Simultaneous discussion.)

DELEGATE KAMENY: Point of order. Mr. Chairman, this debate seems to be irrelevant and non-germane to the motion on the floor, which is that on Monday we have the first reading of the Preamble.

THE CHAIRMAN: Yes. I think I said a little while ago that it's not entirely germane but it would be helpful for many of us on how to vote on that if they have some information on some of the consequences. And I beg leave to discuss that.

But Delegate Freeman is going to make certain that there is a copy of Delegate Blount's in everybody's box except those people who are not here. Then we will know that everybody has it and it has been properly circulated and then maybe you might reconsider that you are capable of making yours on Tuesday, which would help things a lot.

Delegate Thomas.

DELEGATE THOMAS: Mr. President, I should like to move the previous question.

(Whereupon, the motion was seconded.)

DELEGATE BARNES: If the Preamble and Rights Committee finish their report early, automatically the next



committee would start its report, is that true?

THE CHAIRMAN: Yes. We decided that if the committee should finish early, the next one scheduled should finish. The problem is is the next committee ready.

If the Legislative Committee can go to Wednesday and the Judicial Committee can go to Tuesday, then the Judicial Committee would start that night, Monday night, if there was an early completion.

Mr. Chairperson, I recognize that all of us really haven't spoken to the motion that's on the floor and you have --

(Simultaneous discussion.)

THE CHAIRMAN: Who moved the previous question?

DELEGATE THOMAS: I did.

DELEGATE KAMENY: And I seconded it.

THE CHAIRMAN: Delegate Rothschild, I hope you understand and, Delegate Thomas, that we are trying to move along and proceed in accordance with the rules.

DELEGATE ROTHSCCHILD: Yes, I've been trying to be recognized.

THE CHAIRMAN: The previous question has been moved. Those in favoring of cutting off debate, please signify by saying aye.



(A chorus of "ayes".)

DELEGATE ROTHSCHILD: Mr. Chairman, I have been trying to be recognized now for about five minutes.

THE CHAIRMAN: Those opposed.

(A chorus of "nays".)

THE CHAIRMAN: Those abstaining.

(No response.)

THE CHAIRMAN: The ayes have it.

DELEGATE ROTHSCHILD: You know, this kind of arbitrary bullshit is really going to tie us up. You can't run meetings like this.

(Simultaneous discussion.)

DELEGATE ROTHSCHILD: He doesn't want to observe the rules; this convention doesn't want to observe the rules.

(Simultaneous discussion.)

THE CHAIRMAN: Everybody who is speaking now is out of order.

Delegate Simmons.

DELEGATE SIMMONS: I'm seeking information. Based on the fact that this motion has in fact --

DELEGATE KAMENY: It has been called; it has been put.

THE CHAIRMAN: I'm sorry, the question was called.

Those in favor of Delegate Kameny's motion to substitute for Monday reading Preamble and Rights, signify by saying aye please.

(A chorus of "ayes".)

THE CHAIRMAN: Opposed.

(A chorus of "nays".)

THE CHAIRMAN: Abstain.

(No response.)

THE CHAIRMAN: The ayes have it; preamble is to be read on Monday.

Now Delegate Simmons.

DELEGATE SIMMONS: My question is: Mr. President, does that mean that the Executive will automatically be on Tuesday?

(Simultaneous discussion.)

THE CHAIRMAN: Even though your report was -- I don't know when it was -- you say it was circulated as of last Thursday?

DELEGATE SIMMONS: Yes.

THE CHAIRMAN: Okay. Our Secretary says it has not been circulated yet. First of all, are you willing to switch, Delegate Simmons?

DELEGATE SIMMONS: The action of this body already

switched me.

(Simultaneous discussion.)

THE CHAIRMAN: We've got a place for Preamble and Rights; we've got a place for Judicial and a place for Legislation. So yours would have to fall after that.

(Simultaneous discussion.)

THE CHAIRMAN: Delegates, let me say that this is important and we might as well work this out with the committees on the floor. This has to be worked out before Monday. We have to take the time to do it.

Delegate Terrell.

DELEGATE TERRELL: Mr. President, I think it's important at this point that the convention knows where the Legislative Committee is --

VOICE: I can't hear, Delegate Terrell.

DELEGATE TERRELL: I think it's important at this point that the whole convention be aware where the Legislative Committee is at this point so that you can help to find a solution to this problem.

Where we are now is that our report is still being typed. It has been in that process now for two days. We have not had a chance as a committee to accept that report which is to still go to the convention. Where we are now is

that that report which may or may not come to us today as a committee still has to go back to the convention after we have approved that draft, make some additional changes which will come out of that draft and then come to the convention. So we're talking about an optimistic date of Monday and of a pessimistic date of Tuesday. So I think you need to have that information in order to help resolve this situation.

Thank you.

THE CHAIRMAN: All right, it looks like we have another proposal. Delegate Blount has indicated that if Preamble and Rights completes the preamble portion of their report early on Monday night, that he is prepared to begin subsequent to that. His distribution is in your boxes now.

For anybody who missed let me repeat it again. We will have preamble and rights and, since we are only going through the preamble portion, it's a good possibility that that may be completed before the day is over, before the night is over and we would then start with Judiciary and then continue with Judiciary on Tuesday.

DELEGATE COOPER: That's impossible. Judiciary's just got in the box today. The earliest they could go would be Tuesday.

(Simultaneous discussion.)

THE CHAIRMAN: It has been moved and seconded we recess for ten minutes.

(Whereupon, a short recess was taken.)

DELEGATE ROBINSON: May I have your attention please? The President has stated -- may I get your attention? Thank you.

The President has stated that the meeting has been reconvened and I can continue with the report. Now may I please ask what is the timetable that has been agreed upon?

(Simultaneous discussion.)

THE CHAIRMAN: Can we try to get everybody back in here? At 4:30, in nine minutes, our guest of honor, Mr. Arrington Dixon will be here. Let's see if we can't resolve this schedule. There have been some proposals that we think will work.

Now let's everybody look at this now and see if we can't get everybody scheduled. Preamble is ready to read the preamble portion of Preamble and Rights on Monday. Judiciary will be ready to read, having gotten its stuff in your boxes as of now -- and anybody who still doesn't have it, Mr. Blount will make sure that you've got it; it's

a matter of copying it. Some people say it's still not in their boxes. But the Judiciary will read on Tuesday. The Executive will have theirs in your boxes by Monday morning the first thing and read on Wednesday. Finance and Taxation will remain on Thursday. Suffrage will remain on Friday. Legislative will go to Saturday.

The second week will be just as it is now -- Education, Economic Development, Health Housing and Social Services, Local Government and the last part of bill of rights will be the last day, which is May the 28th. May the 29th we adopt.

Reactions?

DELEGATE KAMENY: May the 28th?

THE CHAIRMAN: We adopt on the 29th.

DELEGATE CORN: Excuse me. Before I made a motion that was out of order. I think now would be the time that it would be in order -- that the first readings take three weeks and the second reading one week, as to the reasons I stated earlier.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: It has been moved and seconded that the first readings begin on the 26th and end on May the 14th. The second reading is the week of May the 17th to the 21st,

and the third reading, the last week of May, the 24th to 28th.

DELEGATE HARRIS: May I speak on a point of information, Mr. President?

THE CHAIRMAN: Yes.

DELEGATE HARRIS: I'm concerned that bill of rights is being moved -- you say May 28th and there will be a one-week reading period? Will that be moved to the one-week reading period?

THE CHAIRMAN: No, no. I'm mistaken if I said that. They are being moved to the 7th.

DELEGATE HARRIS: May 7th. You didn't say that. Did you move Suffrage yet?

THE CHAIRMAN: We moved Suffrage up to here. So yes, they're going to be on the 7th.

Monday, the 26th, Preamble and Rights.

DELEGATE HARRIS: No, Preamble.

THE CHAIRMAN: The committee is Preamble and Rights, all right. Judiciary on Tuesday; Executive on Wednesday; Finance and Taxation on Thursday; Suffrage on Friday. Suffrage is changing with Preamble. Preamble and Rights originally was on the 30th of May.

Now the second week, Education, Economic Development,



Health Housing, Social Services, Local Government and Preamble and Rights. Now that is the 7th. That's the full two-weeks' period. What has happened is that Preamble and Rights has exchanged their time with Suffrage. Suffrage is now on Friday, the 30th, and Preamble and Rights is on May the 7th. Now that would be the second part of that committee's report.

Okay, now, Delegate Corn.

DELEGATE CORN: My motion is that the first reading be a total of three weeks, the second reading a total of one week and the three-week period will start April 26th and end May 15th and the second reading begins May 17th and then May 22nd at the latest. In doing this, while we would keep the same order in which committees report their articles out, it would be spread out a little bit more so that instead of being given five hours maximum per committee, there would be up to ten hours or twelve hours per committee so that no person gets stifled or muzzled, that all debate was out at this point, because this is the only time the majority vote can change what is in that document, by majority vote of those delegates present and voting, whereas afterwards in the second reading the only amendments can be by two-thirds of all delegates and the third reading three-quarters of all delegates.

So, therefore, I think the first reading is the most important in terms of everybody having a chance to have their say, to make any amendments they wish to and not to have it we've got to meet the time clock and so debate is cut after five hours to adopt the whole article taking it or breaking it. And if you don't take it, then, for instance, the whole legislative section could be left out of the constitution, which means that everybody would vote it up even though they had --

THE CHAIRMAN: Thank you, Delegate Blount.

Delegate Schrag, Delegate Moore.

DELEGATE BLOUNT: I concur with the sentiments expressed by Delegate Corn. However, I'm concerned that we put this in operation at this point. I would prefer voting for this with the understanding that, should the Chairman see the need to put this plan into operation, that he could put it into operation.

THE CHAIRMAN: Which plan, voting for what?

DELEGATE BLOUNT: The plan that Delegate Corn proposed. In other words, once we see how the committees are moving along, if Judiciary needs more than one particular night, then the Chairman could see how we are moving along and put that into operation rather than just placing it in

front and then one committee would finish one night and then would do it the next night. The other committee would just come up --

THE CHAIRMAN: It isn't clear what your position is on the motion, for or against.

DELEGATE CORN: My --

THE CHAIRMAN: Hold on now, Delegate Corn. I asked him a question. I want an answer.

DELEGATE BLOUNT: Well, I was trying to do it without an amendment, you know, just an understanding. Well, I guess I will just move an amendment to her motion that the chair be allowed to implement this as his discretion.

THE CHAIRMAN: Okay. Is there a second to that motion?

(Whereupon, the motion was seconded.)

THE CHAIRMAN: The motion was seconded that the chair be allowed to implement the -- first of all, it was moved and seconded that Delegate Corn's motion be adopted with the chair having the latitude to adopt it, if necessary, an alternative following the schedule I just read.

Is that essentially your motion?

DELEGATE BLOUNT: Yes.

THE CHAIRMAN: Okay. Discussion. Schrag, Kameny,

Brian Moore.

DELEGATE SCHRAG: I support the Blount amendment, which I think is a very desirable amendment to give the chair the flexibility that he needs to run the rest of this convention.

In practical fact there is going to be slippage. There will be Xeroxing goofs; there will be typing problems; I even understand there have been a few of these already in this convention. And, therefore, we should shoot for the two-week first reading period as a target and try to make it because if we shoot for three weeks, as the original Corn motion suggested and we slipped a little, then we would have no time left to make it up. We would be too close to the wires, too tight a planning schedule.

So with the Blount amendment, it's a good motion because we will shoot for two weeks, we will plan for two weeks and if there is the inevitable sort of slippage, then there will be a little time left in the schedule, and the President, pursuant to this authorization, can let a night go over to the next night if need be. So I support that amendment.

THE CHAIRMAN: Delegate Kameny.

DELEGATE KAMENY: I concur with both the Corn

amendment and the Corn motion and the spirit of the Blount amendment and Delegate Schrag's remarks. I think what the problem has been in the last little while is an effort to tie ourselves in to too rigid a schedule on something that is inherently not predictable. And that, therefore, what we ought to be doing is what we have by default ended up in a way doing or getting ready to do, which is to set out the order in which readings of particular portions of the constitution are to occur, particular committee's proposals and then simply take them up as they come along. The first readings are going to take us a much longer time than the second readings because the second readings involve material that is much more difficult to amend. I think we should give ourselves the additional time that Delegate Corn proposes and then simply take up the readings in the order proposed by the Committee on Calendar and under the guidance of the President and take them up just one by one as they come along without tying ourselves into Wednesday, April 27th, we shall do this and Thursday, May 8th, we shall do that, or whatever the days are, but as they come in sequence.

And I move for flexibility and therefore for both the Corn motion and the Blount amendment.

THE CHAIRMAN: Yes. Delegate Kameny, it seems to me

that the first half of your suggestion is all that is necessary. If you take them in order, you don't need to say three weeks, two weeks or whatever, right? If we finish before the three weeks, then we move right to the other, right?

DELEGATE KAMENY: Right, yes. If we end up in two-and-a-half weeks and we have done all the first readings, fine, we will do that.

(Simultaneous discussion.)

THE CHAIRMAN: Any further discussion? Brian Moore, Barnes and Mason.

DELEGATE BRIAN MOORE: I agree with both the Corn motion and the Blount amendment. However, I wish to amend Mr. Blount's amendment so that we could begin discussions of these articles on Thursday night of this first week, instead of Monday night. And the reason I ask that is because I feel it's important that everybody take a decent amount of time to review and evaluate the proposed articles to write up their amendments and to get them in in time. If we begin on Monday night, I think we are really going to rush right into this without a proper time to evaluate all the articles.

So I'm in favor of the motion and the amendment, but I would like to amend it to begin this process from Thursday night and go two-and-a-half weeks instead of three



weeks.

THE CHAIRMAN: Further discussion? Delegate Barnes.

DELEGATE BARNES: The motion is to amend the amendment.

THE CHAIRMAN: I have already recognized somebody else.

DELEGATE BARNES: I would like to know as a point of personal privilege and ask the chair when I could make the motion to establish meeting outside the convention?

THE CHAIRMAN: After we have disposed of the calendar for next week hopefully. It is now 4:34 and our guest speaker is due here at 4:30.

DELEGATE HILDA MASON: Mr. President, I seconded Mr. Blount's motion because I think that the President of this convention -- excuse me --

THE CHAIRMAN: (Bringing convention to order.)

DELEGATE HILDA MASON: I think that the President of this convention needs to have some flexibility to be able to carry out the goal. I am very concerned that if we build in rigid lines that we are going to spend a lot of time debating procedures and getting motions on the floor instead of getting into substance of getting these articles



approved and getting them into final form for presentation. So I urge that we cut off all this discussion and move ahead to build in the flexibility which has already been put on the floor and that we will hold to that. I am begging delegates to hold to that because, if we don't, we're going to lose the ball game.

Thank you, Mr. President.

DELEGATE HARRIS: I move the question.

THE CHAIRMAN: It has been moved and seconded to cut off debate. Those in favor, signify by saying aye.

(A chorus of "ayes".)

THE CHAIRMAN: Oppose.

(No response.)

THE CHAIRMAN: Abstain.

(No response.)

THE CHAIRMAN: Okay. The motion is that we extend the first reading by three weeks if necessary --

DELEGATE CORN: Up to three weeks.

THE CHAIRMAN: Up to three weeks and it was amended by Delegate Blount to give the President the flexibility to move it backwards or forward, either way, as the case may be.

Those in favor of that motion, signify --

(Simultaneous discussion.)

THE CHAIRMAN: Yes, we should be voting on Blount's amendment to the original motion.

Those in favor of amending the motion offered by Delegate Blount to the original motion, and that is to give the President flexibility to move either way, signify by saying aye.

(A chorus of "ayes".)

THE CHAIRMAN: Oppose.

(No response.)

THE CHAIRMAN: Abstain.

(No response.)

THE CHAIRMAN: Okay. We're back to the original motion, by Delegate Corn, that is to give the President up to or give the convention up to three weeks -- the original motion is to give up to three weeks for the first reading, one week for the second reading, one week for the third reading.

DELEGATE CORN: Two days in between the second and third so that we have the time to get the material collated properly.

THE CHAIRMAN: Is that what you said?

DELEGATE CORN: No, but that's what I meant.

THE CHAIRMAN: Do you want to state your original motion again?

DELEGATE CORN: Up to three weeks -- if we need the full three weeks for the first reading, we've got it; one week for the second reading and then give the Style and Drafting one extra day to make sure it's all collated right and Xeroxed right and everything is in order.

THE CHAIRMAN: Okay. Up to now we have one week left, right?

DELEGATE CORN: Yes. You have one day left because it's a day off, one day off. While we work, you can all bask in the lovely sun. It will be summer by then. Then the third reading will take two nights and that's all.

THE CHAIRMAN: Is that motion understood? Is it very clear?

Let me try to restate it again. We will take up to three weeks for the first reading; one week for the second reading; there will remain one week. The Style and Drafting Committee would like to have one day of no activity on the part of this convention, then two days in which to do their work, then after that --

DELEGATE CORN: Then the third reading will take two nights.

THE CHAIRMAN: -- and two nights for the third reading.

(Simultaneous discussion.)

THE CHAIRMAN: Would you be willing to leave that last week as the third reading?

DELEGATE CORN: Yes.

THE CHAIRMAN: Okay. Is it clear now?

Those in favor of that motion, signify by saying aye.

(A chorus of "ayes".)

THE CHAIRMAN: Opposed.

(No response.)

THE CHAIRMAN: Did you get that?

DELEGATE COOPER: Yes.

THE CHAIRMAN: Yes.

DELEGATE CORN: I have one question I'm not clear on when we passed the Blount amendment and it's very important to the Style and Drafting Committee's work. And that is, let's say, for instance, we start on the Judiciary on Tuesday and then Tuesday night we are about two-thirds of the way through the Judiciary, does that mean that Wednesday we finish the Judiciary or do we put off the Judiciary to some other time to finish it?

The reason I ask this, sir, is as follows: It is much easier for S&D to do its work if the whole committee's -- all of its articles that are interrelated are finished before we start so that we don't get halfway through and then finally, you know, we've to do all of this.

THE CHAIRMAN: I understand your concern. Let us resolve those matters in Executive and chairpersons' meeting. But I don't see any problem with that.

Mr. Chairperson of the Rules and Calendar Committee, would you like to complete your report?

DELEGATE ROBINSON: Well, first of all, I should like to ask where does it leave the five hours of continuous committee reports and if, in fact, the committee has not completed its entire report on that given day, are we still following the dictates of this report that says the committee would have two additional hours on Saturday, or are we opting for something different? That is a continuous time period regardless of how long the committee takes. It will complete its first reading before we move on to the next scheduled committee. And I think that needs to be established at this point.

THE CHAIRMAN: I think what we have done by the votes we have taken today is first of all to establish an order,

and we've got an order. We hope it wouldn't take any three days to do any one particular report. When you finish, you go on to the next one. Okay. Whatever you don't finish in one day, you finish the next day and we have three weeks in which to do that. That's an extra week. Okay. Then you have the second reading the next to the last week and during the last week we have the third reading. We will continue to have five hours. Maybe we will decide we will need more.

I think that, you know, those things we just voted on now would complete your report and then we can move one.

DELEGATE ROBINSON: I think it does.

THE CHAIRMAN: Thank you very much, sir.

The next item is the Secretary's report. Let's move on.

DELEGATE BRIAN MOORE: Point of information.

THE CHAIRMAN: Yes.

DELEGATE BRIAN MOORE: The way we have it set now, is it my understanding that any amendments that we have for the preamble article must be submitted the night before, which is -- well, I mean submitted on Monday?

THE CHAIRMAN: No, at the end of the reading



explanation/question period.

DELEGATE CORN: Sir, what he means is under the rules it says that in order to offer an amendment on second reading, you have to offer it in substance to the committee's chair before the first reading. When does that have to be done by?

Is that what you mean?

DELEGATE BRIAN MOORE: Yes. So any amendments to the preamble will have to be submitted by 5:00 Monday or else they will not be considered by the rest of the convention.

THE CHAIRMAN: And you will have the opportunity; I mean you will have the 72 hours.

(Simultaneous discussion.)

DELEGATE KAMENY: You can offer amendments for the first reading without submitting anything in advance. The second reading is rigid; the first reading is flexible.

(Simultaneous discussion.)

THE CHAIRMAN: For the third reading we will refer to the Rules and Calendar Committee on that.

The Secretary was about to make his report. We invited Mr. Arrington Dixon, who is the Chairperson of the City Council, to speak to us at 4:30. It's now 4:43. In fact, we invited him to speak before and he delayed that until



4:30 on request. Mr. Secretary, let me ask you if you could defer until we have had a chance to hear from the Honorable Arrington Dixon.

(Applause.)

THE HONORABLE ARRINGTON DIXON: First let me comment that the statement that I am about to give was prepared prior to a recent editorial, but given that in some ways on occasion there seems to be some similarity, I think, sometimes with the media and with local officials, you might see at least a tinge of it in my presentation.

To President Cassell, members of the District of Columbia Statehood Constitutional Convention, ladies and gentlemen: May I give special recognition for the record to my colleagues and other fellow elected officials who also elected members of this important legislative body, Mrs. Hilda Mason, David Clark, Mrs. Barbara Lett Simmons, and the Reverend Jerry Moore.

I am pleased and honored to appear before this august convention which is about the business of drafting a constitution for our new state. Your efforts are salutary, as you structure the numerous provisions, concepts and details which demonstrate our ability to govern ourselves. I want to commend you and express gratitude for the substantial

commitments of time and energy that you are making on behalf of all citizens of the nation's next state.

I am pleased to remind you that you are the voice of all the people. I know you are tired. I'm aware of your schedule; since March, you have been meeting around the clock. Please remember that we appreciate what you are doing and please remember that this is not the time to get tired. And if I might use a quote from Reverend Cleveland, one that we all have heard before, he said, "I don't want to feel no way tired; I don't want to feel no way tired." And most of you understand when you hear that comment frequently used. But it is an important one for you now.

One hundred and ninety-five years ago we in fact saw a document prepared by our country which had the certain goals stated in it. Its goals were to establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty. That document, the Constitution of the United States, provided that the pen was in fact indeed mightier than the sword.

Critics of the time commented and history has demonstrated that this document was revolutionary. It may even be prophetic that a major framer and signatory of that

document was named George Washington, then President of the constitutional convention as well as Deputy from Virginia. One hundred and ninety-five years later a geographic area renamed to honor him is undertaking the same difficult and arduous task of taking the responsibility for the maintenance of justice and the securing of the full blessings of liberty.

Your work is significant. Future history will validate that idea.

I have come to share with you some comments. You have already consulted with many experts and have developed and discussed many ideas. My comments will be focused on the legislative format, style and procedures.

As the chief officer of the Council of the District of Columbia, its chairman, I come to share some of my experiences as a member and officer of the District Council, a unicameral policymaking body which might serve as a basis for your proposed legislature. I believe that our current system works.

I support the establishment of a unicameral legislature in the District of Columbia, but do believe that some members should be elected at large while others should represent smaller legislative districts. This mix of elections gives the unicameral body a balance often alleged to exist

within two houses of legislatures. I think that the experience of the Council suggests that a mixture of at large and ward-type membership is appropriate and operative.

I hold a general view that the state constitution, a historical document, born of compromise and a general consensus of community values should be couched in rather broad terms. These should not be filled with details which would anticipate all probabilities, which seem humanly impossible and could render the document more difficult to interpret and properly utilize. I believe the basis for the frequent amendment of state constitutions across the land is that these documents have a capacity for additions. The Federal Constitution, while not totally analogous to an emerging state constitution, does set a model of brevity. It should be our touchstone.

I fully concur with the principle of one person, one vote required under the Federal Constitution for representation in the state bodies. A rough equivalency of districts with a vigilant citizenry is the best proposal for equality in our soon to be new state. It was Frederick Douglas who said: "The price of freedom is eternal vigilance." Our citizens are and must be critical as well as our commentators.

Let me share a few more experiences as the Council has matured, the Council of the District of Columbia. That maturity has, in fact, created, formerly a pre-designed weekly legislative session, to a now bi-weekly meeting. Frequent use of the Council's emergency authority has been curtailed and in general close cooperation of the members have resulted in permanent legislation which has become effective before the expiration of concurrent emergency enactments. I comment upon the schedule of the Council because I believe that fixed, relatively short sessions may best serve the people of the state. After each session, there would be a thirty-day recess, allowing policymakers to secure citizen feedback and viewpoints. Shorter sessions suggest fewer laws.

The Council has always acted in compliance with the Sunshine Provision. I believe that meetings concerning strategies dealing with litigation, national and local security matters and other sensitive trade and commerce secrets such as matters properly exempted from disclosure under the Freedom of Information Act might well be worked into your proposed provisions as areas to be considered in closed session. I support the full public hearing of sessions, but commend careful review of those exceptions to your review.

I believe that the legislature should be the judge of its members' qualifications rather than relying upon our able Judiciary. This has historically been a provision -- a province of the legislature as a co-equal and coordinative branch of national and state government. I would not give that power away.

It is essential for the people to retain the rights of referendum, initiative and recall to themselves. And I cite that particularly given the father of statehood was one who promoted and moved that legislation through the Council with the help of our colleague, Mrs. Mason, finally when she took his place. A simply worded provision as follows is sufficient for the constitution: "The right of referendum, initiative and recall is reserved by the people."

But how should one define the affirmative governmental mandate in the 1980s in this new constitution? And without cluttering the document with details subject to litigation and impossible fiscal implementation, what should one note as the predominant and paramount obligation of this new government?

While my list is not exhaustive, it does represent general provisions which I believe should be included.

Number one, a right to education, provided fairly and without discrimination to our young people. Opportunities must



also be provided for higher education.

The right to a healthful environment, encompassing such things as clean air, preservation of parkland and natural resources, usable water and environmental health.

Three, the right to an opportunity to prosper in the new state -- a linkage of jobs creation, encouragement of new businesses, development of opportunities for residents and appropriate training of minorities.

Four, the right to a safe community through the appropriate provisions of public safety and public rehabilitation.

Five, the right to adequate public facilities to allow the new state to function in a democratic society -- roads, libraries and schools, et cetera, functions that would provide such a democracy to go forward.

While I commend your initiative and will study with great care your provisions of our constitution as you are developing this document, let me make one final plea to avoid too much detail in the constitution. A living constitution provides the broad brush with which changing electorates and public officials paint statutes from time to time. And that is as it should be. Details of process most appropriately addressed by statutes will burden the new state and give concern

to many citizens, causing the possible rejection of the draft constitution. It is in fact this community that we represent and that must accept the final document.

I would close with a charge to this convention fashioned in a manner by a poem written by Margaret Walker. When I read this poem, the words "my people" mean to me Washingtonians, the people we all work for as well as represent.

"For my people standing staring trying to fashion a better way from confusion, from hypocrisy and misunderstanding, trying to fashion a world that will hold all the people, all the faces, all the Adams and Eves and their countless generations;

"Let a new earth rise, let another world be born, let a bloodless peace be written in the sky. Let a second generation full of courage issue forth; let a people loving freedom come to growth. Let a beauty full of healing and a strength of final clenching be the pulsing in our spirits and our blood. Let the freedom songs be written, let the dirges disappear. Let a state of men and women now rise and take control."

(Standing ovation.)

THE CHAIRMAN: Thank you very much for some very profound remarks. Now I want to remind everybody that we have

been blessed by certain things that we have gotten from the government. Some of those resources are running out. We have been to various utilities' companies; we've gotten some response. And we have even gone back to the government.

And I'm just reminded that Brother Dixon said to me, when I told him we were running out of money for court reporters, he said, "Well, just lay out your budget and tell me what you need." So now we can forget about all of that and get back to the writing of the constitution.

(Applause.)

THE CHAIRMAN: And you know more about these things than we do. Court reporting services that will be starting next Monday for a period of five weeks runs something like \$19,000. But we understand it's no problem for you.

THE HONORABLE ARRINGTON DIXON: Best to all of you and you're doing a great job. Thank you.

(Applause.)

THE CHAIRMAN: Mr. Secretary -- please see if we can get people back in from the halls so that we can have the Secretary's report and complete our meeting today.

DELEGATE COOPER: Fellow delegates, here is the report from the Office of the Secretary, April 24th.

During the preceding week the following proposals

were received from the committees. Proposal Number SCl-1A-0008 01 was received from the Committee on Preamble and Rights on April the 19th. The proposal was untitled and was sent into circulation for its first reading. The circulation date on that proposal is April 20th.

Proposal SCl-4A-0002 was received from the Committee on the Judiciary, on April 24th, and was entitled "Judiciary". That proposal was put into circulation on April 24th.

The following proposals were received from delegates: Proposal 1-0008 was received from Norman Nixon on April the 19th. It was entitled "Student Voter Registration" and was transmitted to the Committee on Suffrage.

Proposal 1-0009 was received from Delegate Norman Nixon on April the 19th. It was entitled "Student Representative on State Board of Education". That proposal was transmitted to the Committee on Education.

Proposal 1-00010 was received from Delegates Gloria Corn and William Cooper. That proposal was received on April the 22nd, 1982. It was entitled "Boards and Commissions". The same proposal was transmitted to the Committee on Legislature.

Proposal 1-00011 was received from Delegates Dave Clark and Harry Thomas on April 22nd also. The title of the proposal was "Judicial Tenure" and was transmitted to the

Committee on the Judiciary.

Proposal 1-00012 was received from Delegate Jordan on April 24th. It was entitled "Judicial Election" and was transmitted to the Committee on Judiciary.

There are no third readings scheduled for today. There are no second readings scheduled for today. There are no first readings.

During the week, there was no proposal in reference to the convention rules received. The following rule amendments are still in circulation: The Cooper amendment to 2.4 and 2.5; the Corn amendment to 6.1; and the Brian Moore amendment to 2.3.

During the week notice was circulated to all the committee chairs with regard to notification of meetings. The content of those has to do with the fact that some committees may, in fact, have to meet during the next week or so and it was to ensure that proper notice was given to the office so that the proper notification procedures could be followed for any committees who wished to meet during the week.

I would also like to urge that all of the committee chairs just look at Rule 3.3 and try very hard to follow the proper procedure for submitting proposals because, as you can see, we have a lot of difficulty with regard to proposals

today. And this would be of great help to me if this procedure were followed. And that concludes the report.

THE CHAIRMAN: Okay. Any questions?

DELEGATE CORN: Yes, I have a question.

THE CHAIRMAN: Yes.

DELEGATE CORN: The proposal that you and I -- the proposal which you and I submitted, is it too late to ask that it also be submitted to the Executive Branch Committee and to the Economic Development Committee?

DELEGATE COOPER: Well, the President makes those determinations.

THE CHAIRMAN: When you submit it, it depends how it comes up on the floor.

Next, the Treasurer's report. Delegate Johnson.

DELEGATE JOHNSON: I heard you say there was a proposal submitted by Delegate Nixon to the Suffrage Committee. Would you please repeat that?

DELEGATE COOPER: That was proposal number 1-0008. It was entitled "Student Voter Registration" and it was submitted on April the 19th.

DELEGATE JOHNSON: Thank you.

DELEGATE COOPER: Did you receive it? It was in your box.



THE CHAIRMAN: Delegate Kameny.

DELEGATE KAMENY: Yes. In connection with a remark made by the Secretary during his report, I did want to simply note for the benefit of the convention that Rule 2.6(g) forbids any committee from meeting during the plenary session. This should be kept in mind in the scheduling of all committee meetings.

THE CHAIRMAN: I would like to reiterate also that one of the problems we have in getting a quorum sometimes is that people find that they do want to leave early in our plenary sessions and that is a great detriment too. Please schedule your meetings at times other than our plenary sessions.

Okay, Jordan.

DELEGATE JORDAN: I just wanted to ask Delegate Cooper, there is one there that went to Suffrage.

(Simultaneous discussion.)

THE CHAIRMAN: The next report is the report of the Ad Hoc Commission on Statehood Commissions.

DELEGATE CORN: Sir, Mr. Cooper had said that the Cooper/Corn proposal went to the Legislative Committee. And speaking with one of the members of the Legislative Committee, they don't know what we are talking about. They said they haven't gotten it.

THE CHAIRMAN: Okay, you can't resolve that here.  
Delegate Jordan.

(Simultaneous discussion.)

DELEGATE JORDAN: Thank you, Mr. Chairman.

DELEGATE COATES: Point of procedure.

THE CHAIRMAN: Yes, Delegate Coates.

DELEGATE COATES: Thank you for recognition.

It would appear to me that a consideration that many of us have complete reports sufficiently circulated in time, if the President scheduled presenters of reports -- could submit their reports for the record since nothing of substance or information would be reported to us than the report of the secretary, the record would be proper notice. We could adjourn and proceed to complete unfinished central work incidental to start the first reading next week. I say that in deference to the Secretary's report, but it was not informational for us. I don't know what this next report is. We do have a list of committee reports indicated and I know of at least two instances where substantive committees will not read their reports today. They would be Finance and Tax and Economic Development.

THE CHAIRMAN: Yes. Without objection I would suggest that we have reports submitted instead of reading reports

unless some chairperson feels that he must.

I am suggesting that we not have committee reports today inasmuch as there are people who want to meet right after this to go on with their work. Just please submit them to the Secretary and this will be our last report.

Delegate Jordan.

DELEGATE JORDAN: Yes. The reason I wanted to do this is there are still some wards that have not selected all of their representatives to the statehood commission and we need to get that information because they are supposed to be sworn in next Saturday and the President will have to make arrangements in terms of what time and everything and put that on the agenda. But Ward One -- we don't have anyone from Ward One yet. And Ward Two, we are short one person. We only have the name of Ed Garner. And Ward Three we have David Marlin (Phonetic) and Marjorie Parker. Ward Four we have the name of Arrington Dixon and Patricia Harris. In Ward Five we have the name of William Spaulding (Phonetic). We're still one short in Ward Five. In Ward Six we don't have any names. In Ward Seven we have Emily Washington and Willy Hardy. We need two more names.

In Ward Seven we have Emily Washington and Willie Hardy and in Ward Eight we have R.C. Lockridge and Virginia --

-- Virginia Hart (Phonetic). Thank you.

THE CHAIRMAN: All right. Are there any questions on that?

(No response.)

THE CHAIRMAN: Okay. The time is now 5:00. Is there any unfinished business?

THE CHAIRMAN: Well, if we are expected to swear people in next Saturday, there has to be some coordinated and directive contact with these people in response from them.

Delegate Jordan, first of all, I need a copy of your report that you gave today.

DELEGATE JORDAN: I don't have it in writing.

THE CHAIRMAN: Even if it's in handwriting, let us have it so that we know what the status is. Let me ask you also if you would coordinate the direct contact with any one of those persons that have not been reached and I will try some of the at-large people and I will tell you the ones that I have reached. But I think I'm going to ask you to make certain that you would personally do that. I think every one of the persons who has been listed of the first eight is voted upon and if you coordinate and get in to us the results of the ward caucus decisions in time for next Saturday if indeed that turns out to be the date. Okay. Like maybe

Wednesday and then we can notify them, say, Wednesday night or early Thursday.

Delegate Mason, Delegate Barnes.

DELEGATE MASON: Mr. President, did a letter go out from this body, from the President, notifying these nominees that they have been named?

THE CHAIRMAN: (Bringing the convention to order.) I'm trying to hear Delegate Mason. Will a letter go out certified that these people --

DELEGATE MASON: Will a letter go out from you saying that this body has recommended them and asking them to respond?

THE CHAIRMAN: Yes, but there is always a possibility they all may not agree, which would mean that we couldn't have the swearing in on May the 1st, right?

Delegate Barnes.

DELEGATE BARNES: Would it be in order to make a motion to require permission of the body to have the meetings?

THE CHAIRMAN: It would be in order except we don't have a quorum.

DELEGATE BARNES: I would like to make a motion.

THE CHAIRMAN: Yes, just as soon as we get a quorum. Would you help us to get that quorum? I will recognize you

as soon as you bring in a quorum.

Okay.

DELEGATE CORN: First of all, I don't know whether you all know it, but one of our colleagues, Jim Baldwin, has had a heart attack and I believe he is still in the hospital.

DELEGATE HARRIS: It wasn't a heart attack.

(Simultaneous discussion.)

DELEGATE CORN: All right. What I would simply like to say is -- you know, either I would like to make a motion that we all send him flowers or we take up a collection to send him some flowers.

DELEGATE HARRIS: Why don't you ask the President?

DELEGATE CORN: What has been done?

THE CHAIRMAN: We have sent a lovely plant to Mr. Baldwin. Mr. Baldwin is going home today and I would suggest that everybody give him a call. I understand that he is reasonably well, not deathly ill. I suggest that we give him a call.

Yes, Delegate Barnes.

DELEGATE BARNES: Yes, I would like to make that motion.

THE CHAIRMAN: You have gotten the quorum?

DELEGATE BARNES: Yes.



THE CHAIRMAN: Make your motion.

DELEGATE BARNES: Yes, two committees, Finance and Taxation and Economic Development would like to schedule meetings outside the convention immediately following the plenary session and Finance and Taxation will be immediately after this session at the School Board conference room and Economic Development at the District Building in Hilda Mason's office at 8:00 p.m.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: It has been moved and seconded that two committees be allowed to meet outside of this convention hall in order to complete the business of their committees. Is there any discussion on that?

(No response.)

THE CHAIRMAN: Can we affirm that by confidence then?

(Whereupon, the delegates agreed.)

THE CHAIRMAN: Thank you very much.

Do I hear a motion to adjourn?

DELEGATE CORN: I have two brief announcements.

THE CHAIRMAN: Delegate Harris has been telling all day now to remind you that -- Mr. Madison, as you know -- Mr. Madison, stand up and you have a very important responsibility of being our image maker and he is going to publish a newsletter.

And he has only gotten from us ten bios -- only ten bios out of 45. He is going to have to go with that if we don't get them to him by the first thing Monday. Monday morning he is going to press with our first newsletter. All right, bios and photos, if necessary.

Announcements.

DELEGATE CORN: Two very brief announcements. Style and Drafting -- the subcommittee is meeting this Monday at 4:45 to 6:00 and on Tuesday Style and Drafting is meeting from 11:00 a.m. to 6:00 p.m. Please, S&D members, be there. You will see what they are about. You will get the notice in your box and you will see.

(Simultaneous discussion.)

THE CHAIRMAN: Could I hear a motion to adjourn?

DELEGATE HARRIS: I move that we adjourn.

(Whereupon, the motion was seconded.)

THE CHAIRMAN: We are adjourned.

(Whereupon, at 5:15 p.m., the plenary session was adjourned.)

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